

### **REMARKS**

Claims 2-7, 9-13, and 16 are pending in the present application. Claims 1, 8, 14, 15, and 17-19 have previously been cancelled. Claims 2 and 16 are independent.

### **Prior Art Rejections**

Claims 2-4, 7,9 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fredlund (USP 5,666,215) in view of Motegi (USP 6,307,640). Dependent claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fredlund, Motegi and further in view of Tamura (USP 6,771,986). Also, dependent claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fredlund, Motegi and further in view of Ueda (USP 6,429,923). Dependent claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Fredlund, Motegi and further in view of Chui (USP 6,657,702). Lastly, dependent claims 11-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fredlund, Motegi and further in view of Fredlund '295 (USP 6,154,295). These rejections insofar as they pertain to the presently pending claims are respectfully traversed.

Although Applicants continue to disagree with the Examiner considering the teachings of Fredlund, Motegi and the other art of record, substantial amendments have been made to the independent claims to further distinguish the invention from the applied art. Moreover, Applicants do not concede to the Examiner's improper use of hindsight reconstruction and lack of motivation to combine the references. Nevertheless, the substantial amendments and new arguments are presented below.

Generally speaking, distinguishing features of the present invention include those directed to a group order process in which each member belonging to the group may individually view and order a subset of images within the set of images registered in the image database. Another distinguishing feature is the separation and joint use of the image ordering ID and print commanding ID which work in conjunction with the group ordering process. Particularly, the image ordering ID permits various members belonging to the group to individually view and order a subset of images. As time passes, the group members can continue to view as well as change the orders already made. The separated print commanding ID is then utilized at a later time to order all prints for the entire group. This system permits various users within the group

to freely order and change their orders at their leisure. Only when the group has entirely completed this ordering process is the print commanding ID utilized such that all of the prints within the whole order is then printed out and, for example, sent to the user, likely the group's representative.

Corresponding features which enable this group ordering process have been added to the independent claims 2 and 16. Note the reference to "group order information" and "group order". Note also the second ID generation means (claim 2) that generates a member specifying ID in correlation with the image ordering ID generated by the first ID generation means. This member specifying ID specifies a particular member of a group. Moreover, independent claim 2 now recites that the communication terminal accepts input from members of the group including the member specifying ID, the image ordering ID, and a members selections which comprise the group order information. Significantly, the print controller is now claimed as waiting for the print commanding ID and upon receipt thereof, controlling the print order to print a group order represented by the group order information. These features, particularly when taken in combination, are simply not disclosed or suggested by any of the applied art of record.

Because the Chui patent (USP 6,657,702) was applied to reject the number specifying ID feature of claim 10, substantial arguments against Chui are presented below. In other words, Chui appears to be the closest reference to that which is now recited in the independent claims but Chui still fails to disclose or suggest the invention recited therein.

More specifically, Chui is directed to a centralized print distribution system in which a single user may create suborders for various recipients within a group. See Fig. 3a and also Fig. 7c which illustrates the single user sending an image to "brother" with a default message. In other words, Chui is directed to a centralized distribution system in which a user may distribute various prints to a group where each member of a group may receive a different print order. There is no disclosure or suggestion in Chui in which each member of the group may input or select the image data. More specifically, there is no disclosure or suggestion of a communication terminal accepting input from members of the group including the member specifying ID, the image ordering ID, and the member selections which comprise the group order information. Instead, Chui only permits a single master user to order various image sets for other people.

There is no ability of a group member to individually request or submit input to a communication terminal for a group order.

Chui does disclose an associated data table that maintains preferences for each member of the group such as the size of prints, finish of the print, etc. Nevertheless, the members of the group in Chui's patent are only recipients designated by the main user who wishes to distribute images in a particular way to various members of a large group.

Moreover, Chui also fails to disclose or suggest a print controller which waits for the print commanding ID and upon receipt thereof, controls the printer to print a group order represented by the group order information. Nor is there any disclosure or suggestion of the method of claim 16. For example, none of the art of record discloses or suggests storing group order information, controlling a printer so as to print on the basis of group order information, generating a member specifying ID in correlation with the image ordering ID, the member specifying ID specifying a particular member of the group. Nor is there any disclosure or suggestion of any of the applied art of record for accepting input for members of the group including the member specifying ID, etc. which comprised the group order information.

Also significant is the failure of any art of record to disclose or suggest a print controller that waits for the print commanding ID and upon receipt thereof controls the printer to print a group order represented by the group order information. This last feature in combination with the other features of the invention permits group members to view their order, and change their orders already made up until the time upon which the print commanding ID is received by the print controller. By utilizing this separate print commanding ID, the various members of the group have more ability and freedom to change or update their orders at their leisure.

Applicants realize that Motegi is applied to teach the print commanding ID so arguments are presented regarding Motegi specifically below. Motegi is directed to a print system for a large office environment. Such a large office environment includes different users who wish to protect the confidentiality of their particular print jobs. A job number is utilized for this purpose. As such, the job number identifies the print job for a document for a particular user. There is no image retrieval prior to print job generation as in the presently claimed invention. Thus, Motegi is solely limited to identifying print jobs for a particular user in a large

office environment and does not previously order the images or anything like the image for later photofinishing and photo printing as in the present invention.

Moreover, Motegi's network printing is for protecting the privacy of print jobs in an office having plural printers. As such, Motegi has no application to the art of photofinishing, particularly the group ordering process and apparatus now recited in the independent claims. There is certainly no group ordering concept, particularly the member specifying ID accepting input from members of the group (including the member specifying ID, the image ordering ID, and the member selections which comprise the group order information), or waiting for the print commanding ID and upon receipt thereof controlling the printer to print a group order represented by the group order information. In very sharp contrast, Motegi protects the privacy of a single user and is totally divorced from any type of group order process or apparatus. There is absolutely no motivation whatsoever to combine such a print privacy protection system for a large office environment as in Motegi with Fredlund's image ordering system.

In more specific response to the Response to Arguments attached to the Advisory Action, Applicants take specific issue with the Examiner's arguments regarding motivation and improper hindsight combination. In this response, the Examiner states that Motegi and Fredlund are combinable "because both are printing print jobs". It is further stated that the basic concepts of printing are the same and various aspects can be incorporated with one another to create a useful system. In reply, the Examiner appears to be mixing and matching disparate features from quite different systems to arrive at the claimed invention. The broad generalization that "both are printing print jobs" is wholly insufficient motivation to combine these particular teachings. It appears to be the Examiner's position that just because two references may be generally from the same field of invention that they are automatically combinable and that combining them in the fashion claimed, is somehow obvious to one of ordinary skill in the art. Such thinking is completely contrary to established obviousness case law.

For all of the above reasons, taken alone or in combination, Applicants respectfully request reconsideration and withdrawal of the Section 103 Fredlund-Motegi rejection.

All of the other prior rejections are directed to dependent claims which are not being relied upon for patentability herein. In other words, each of the dependent claims is believed to

be patentable at least due to their dependency upon the respective independent claims 2 and 16 which have been extensively argued above. Furthermore, the secondary prior art applied by the Office Action department also fails to disclose or suggest the features asserted above. Indeed, each of the secondary teachings are merely applied to teach the features of the independent claims and or not being relied upon in any fashion to teach the independent claim features. Therefore, all of the other prior art rejections should be reconsidered and withdrawn.

### CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael R. Cammarata Reg. No. 39,491 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 13, 2007

Respectfully submitted,

By 

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